

Order

Michigan Supreme Court
Lansing, Michigan

October 5, 2006

Clifford W. Taylor,
Chief Justice

131899 & (21)(22)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SALLY A. SOUTHERLAND,
Plaintiff-Appellee,

v

SC: 131899
COA: 269143
Wayne CC: 05-503524-CZ

BLUE CROSS BLUE SHIELD OF
MICHIGAN,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the July 7, 2006 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The motion for stay is GRANTED. Trial court proceedings are stayed pending the completion of this appeal. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.

CAVANAGH, J., would deny leave to appeal.



t1003

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 5, 2006

Corbin R. Davis

Clerk